

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

JUNE 26,2000

D035807 In re Barnes on Habeas Corpus

At the request of petitioner, the petition for writ of habeas corpus is dismissed.

D034886 In re Kendall O., a Juvenile

The judgment is affirmed. O'Rourke, J.; We Concur: Benke, Acting P.J., McIntyre, J.

**D035819 Apex Wholesale, Inc. v. Superior Court of San Diego County/Fry's Electronics, Inc.
et al.**

The petition is denied.

D035699 Hicks v. Superior Court of San Diego County/Goode, Peterson & Weintraub et al.

The petition is denied.

D035828 In re Baumer on Habeas Corpus

The petition is denied.

D035805 Amura v. San Diego County Superior Court/The People

The petition is denied because it is substantially similar to a prior petition (D035667.)

D035836 Amura v. San Diego County Superior Court/The People

The petition is denied because it is substantially similar to a prior petition (D035667.)

D033949 Schroeder v. Hull & Co. (U.K.) LTD. et al.

The order from which this appeal is taken is affirmed. Defendant is entitled to recover costs from plaintiff. Huffman, J.; We Concur: Benke, Acting P.J., O'Rourke, J.

**D035831 Adams v. Superior Court of San Diego County/
Path 1 Network Technologies, Inc. et al.**

The petition is denied.

D035837 In re Baumer on Habeas Corpus

The petition is denied.

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JUNE 27, 2000

D035869 Moya v. Superior Court of Imperial County/People
The petition is denied.

D032039 People v. Castaneda

D034563 In re Castaneda on Habeas Corpus

The pending petition for writ of habeas corpus, In re Joseph Castaneda, D034563, is consolidated with the pending appeal, People v. Castaneda, D032039, for disposition.

D032039 People v. Castaneda

D034563 In re Castaneda on Habeas Corpus

The appeal from the judgment (order revoking probation) is affirmed; and the petition for writ of habeas corpus is denied. Benke, Acting P.J.; We Concur: Huffman, J., O'Rourke, J.

D035458 In re Luken on Habeas Corpus

The petition is denied.

D033774 People v. Figueroa

Judgment affirmed. Nares, Acting P.J.; We Concur: McIntyre, J., O'Rourke, J.

D033083 Moody v. Pedus Security Services, Inc.

The judgment of dismissal is affirmed with respect to the second and third causes of action alleged in Moody's second amended complaint. The judgment of dismissal is reversed with respect to the first cause of action alleging age and disability discrimination. With respect to this cause of action, the court is directed to vacate its order sustaining Pedus's demurrer without leave to amend and enter a new order overruling the demurrer. Pedus to bear costs on appeal. Haller, J.; We Concur: Huffman, Acting P.J., McDonald, J.

D035793 In re Neiber on Habeas Corpus

The petition is denied.

D035383 Schiltz v. Workers' Compensation Appeals Board and Penco/Willis Corroon

The petition is denied.

D032931 People v. Wallace

Judgment affirmed. Huffman, J.; We Concur: Kremer, P.J., O'Rourke, J.

D032661 People v. Saxton

The judgment is affirmed. McIntyre, J.; We Concur: Kremer, P.J., Benke, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

JUNE 27,2000 (continued)

D033824 Bell v. Vista Unified School District et al.

The judgment is reversed as to the attorney fees and costs award and the matter is remanded to the trial court to recalculate the award following reasonable apportionment consistent with this opinion. In all other respects, the judgment is affirmed. Each party to bear their own costs on appeal.
Work, Acting P.J.; We Concur: Benke, J., McIntyre, J.

D034993 Hornung v. San Diego County Superior Court/Zych, et al.

The opinion filed June 8, 2000, is ordered certified for publication.

D033665 People v. Campbell

The judgment is affirmed. Work, J.; We Concur: Kremer, P.J., O'Rourke, J.

D034015 In re Aderjew A., a Juvenile

Judgment affirmed. Nares, J.; We Concur: Kremer, P.J., Work, J.

D034845 In re Bryanna V. et al., Juveniles

The judgments are affirmed. McDonald, J.; We Concur: Kremer, P.J., Work, J.

D035036 In re Sophia P., a Juvenile

Judgment affirmed. O'Rourke, J.; I Concur: Huffman, Acting P.J., I Concur in the result: Haller, J.

D031420 People v. Ramos

For the reasons discussed above, the judgment is affirmed. Benke, J.; We Concur: Kremer, P.J., Haller, J.

D032972 Maryland Casualty Company et al. v. Nationwide Mutual Insurance Company

D033116 National Union Fire Insurance Company of Pittsburgh Pennsylvania et al. v. Nationwide Mutual Insurance Company

The opinion filed June 6, 2000, is ordered certified for publication. The petition for modification and rehearing is denied.

D035847 Createman v. Obote

The appeal is dismissed.

D031575 Mendoza et al. v. Club Car, Inc.

The petition for rehearing is denied.

D035489 In re Quammen on Habeas Corpus

The petition is denied without prejudice to refile after consideration by the superior court.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

JUNE 27,2000 (continued)

D031046 Mycogen Corporation et al. v. Monsanto Company

D031336 Mycogen Plant Science, Inc. v. Monsanto Company

D032171 Mycogen Plant Science, Inc. v. Monsanto Company

On the court's own motion, the above listed appeals are consolidated for disposition. All future filings shall be made under case number D031336.

D031046 Mycogen Corporation et al. v. Monsanto Company

D031336 Mycogen Plant Science, Inc. v. Monsanto Company

D032171 Mycogen Plant Science, Inc. v. Monsanto Company

The order after final judgment in Mycogen I (D032171), that excluded parol evidence as an aid in interpreting the license agreement, is affirmed.

The collateral monetary sanctions order in D032171 is reversed, with directions to enter a different order denying such sanctions.

In D031046, the judgment of dismissal of the Mycogen and Agrigenetics party plaintiffs in the Mycogen II action is affirmed.

In D031336, the judgment for damages against Monsanto in the Mycogen II action is reversed with directions to enter a different judgment granting judgment for Monsanto. Each party is ordered to bear its own costs on appeal. Huffman, J.; We Concur: Kremer, P.J., Benke, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

JUNE 28,2000

D023227 People v. Keenan

The appeal and cross-appeal are dismissed.

D032540 Sylvina v. Salk Institute

Upon written stipulation filed by the parties to the appeal, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 19(b)). Each party to bear own costs on appeal.

D033366 Horowitz v. La Costa Resort & Spa Corporation

The judgment is affirmed. O'Rourke, J.; We Concur: Benke, Acting P.J., Huffman, J.

D033605 Marriage of Segal

The order is affirmed. Work, Acting P.J.; We Concur: Benke, J., McIntyre, J.

D035490 In re Masek on Habeas Corpus

The petition is denied.

D035702 People v. Erez

The petition is denied.

D032187 Bolouki v. Regents of the University of California

The petition for rehearing is denied.

D035498 Beck v. Workers' Compensation Appeals Board/Aluminum City et al.

The petition is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

JUNE 29,2000

D033185 People v. Rogers

The judgment is affirmed. O'Rourke, J.; We Concur: Work, Acting P.J., Huffman, J.

D035395 Marie H. v. San Diego County Superior Court/San Diego County Health and Human Services Agency

Let a writ issue directing the superior court to vacate its order terminating services and setting a selection and implementation hearing and enter a new order returning the children to Marie. This opinion is final immediately as to this court. (Cal. Rules of Court, rule 24(d).) Benke, J.; We Concur: Kremer, P.J., O'Rourke, J.

D032652 In re Tommy P., a Juvenile

The true finding on the section 12022.1 enhancement is reversed; in all other respects the judgment is affirmed. Benke, Acting P.J.; We Concur: Huffman, J., O'Rourke, J.

D035707 Orozco v. Superior Court of San Diego County/People

Let a writ of mandate issue directing the superior court to vacate its orders of May 9, 18, 22, and 30, 2000, and enter an order relieving Dedina and appointing substitute counsel. The stay issued on June 1, 2000 is vacated. The clerk of this court will transmit the original sealed transcripts and all copies to the superior court. This opinion is made final immediately as to this court. (Cal. Rules of Court, rule 24 (d).) Benke, J; We Concur: Kremer, P.J., Work, J.

D035695 In re Polselli on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

JUNE 30,2000

D035698 Ledfors et al. v. Boyer et al.

The petition is denied.

D035532 In re Lyles on Habeas Corpus

The petition is denied.

D033003 People v. Gonzalez

Judgment affirmed. Benke, J.; We Concur: Kremer, P.J., Huffman, J.

D035574 In re Henderson on Habeas Corpus

The petition is denied.

D033171 Teyssier v. City of San Diego

D033622 City of San Diego v. McCarty

(consolidated) The opinion filed June 15, 2000, is modified. (No change in judgment)

D035220 In re DeOndre W., a Juvenile

Judgment affirmed. Haller, Acting P.J.; We Concur: McIntyre, J., O'Rourke, J.

D035012 In re Dylan B., a Juvenile

The judgment is affirmed. Work, J.; We Concur: Kremer, P.J., Benke, J.

D033935 People v. Tighe

The judgment is affirmed. Kremer, P.J.; We Concur: McIntyre, J., O'Rourke, J.

D034030 People v. Smoots

The judgment is affirmed as modified. The matter is remanded and the superior court is directed to correct the abstract of judgment in accordance with our decision. Work, J.; We Concur: Kremer, P.J., Huffman, J.

D033497 People v. Davis

The judgment is affirmed. Kremer, P.J.; We Concur: Work, J., O'Rourke, J.

D034957 In re Ashley C., a Juvenile

The order is affirmed. O'Rourke, J.; We Concur: Kremer, P.J., Work, J.